

ORIGINAL

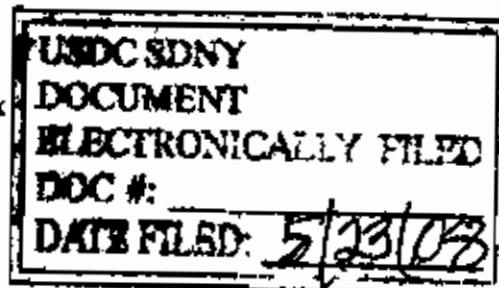
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKGERMAN LEYBINSKY
A# 73-569-408

Petitioner,

- against -

IMMIGRATION AND HOMELAND
SECURITY; OR IMMIGRATION AND
NATURALIZATION SERVICES,

Respondents.

STIPULATION AND ORDER
08 Civ. 2083 (NRB)

The parties hereby stipulate and agree that the above-captioned petition for a writ of habeas corpus is withdrawn with prejudice and without costs or attorney's fees to either party, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure.

Dated: Staten Island, New York
May 19, 2008

German Leybinsky
GERMAN LEYBINSKY, Pro se
403 Amhurst Ave.
Staten Island, NY 10306

Dated: New York, New York
May 21, 2008

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Respondents

By: *Sue Chen*
SUE CHEN
Special Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
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SO ORDERED:

Naomi Reice Buchwald
NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

5/23/08